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**FACSIMILE TRANSMITTAL SHEET**

TO:	FROM:
Examiner R.L. Pang	Paul D. Amrozowicz, Reg. No. 45,264 
COMPANY:	DATE:
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RE:	RECIPIENT'S REFERENCE NUMBER:
Response	10/788,745

URGENT

FOR REVIEW

PLEASE COMMENT

PLEASE REPLY

PLEASE RECYCLE

NOTES/COMMENTS:

**FORMAL COMMUNICATION INTENDED FOR  
ENTRY**

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Appl. No. 10/788,745  
Amdt. Dated October 4, 2005, 2005  
Reply to Office Action of September 20, 2005

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Paul T. WINGETT et al.

Group Art Unit: 3681

Serial No.: 10/788,745

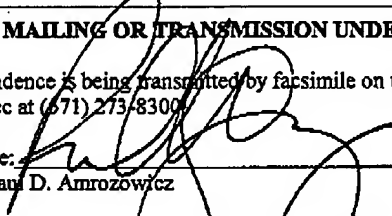
Examiner: R.L. PANG

Filed: February 26, 2004

For: ENERGY STORAGE FLYWHEEL SYSTEM CONTAINMENT VESSEL

Attorney Docket No.: H0005310—3112

Customer No.: 000128

<b>CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 C.F.R. § 1.8(a)</b>	
I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.	
on <u>10/4/05</u>	Signature: <u></u> Paul D. Amrozowicz

**RESPONSE TO ELECTION/RESTRICTION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In full and timely response to the Election/Restriction Requirement mailed September 20, 2005, Applicants representative acknowledges the Examiner's finding of the patentable distinctness between three species. According to the Examiner:

Specie 1 is disclosed in FIGS. 1-2;

Specie 2 is disclosed in FIGS. 3-7, 8, 9; and

Specie 3 is disclosed in FIGS. 3-7, 10, 11.

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In response, Applicants, through their representatives and attorneys, hereby provisionally elect Specie 3 with traverse. It is submitted that at least Claims 1-30 read on Specie 3. This election is with traverse for at least the following reasons.

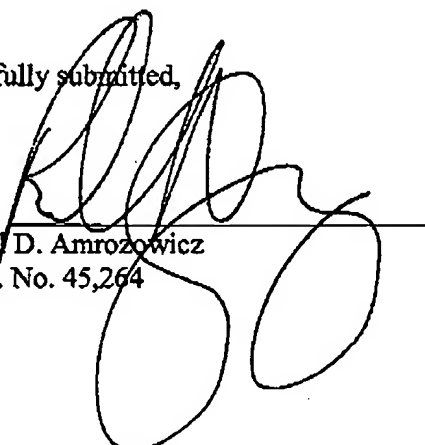
Initially, Applicants wish to point out that, contrary to the wholly erroneous statement made in the Restriction Requirement, it is readily apparent that none of the claims are even directed to Specie 1. Moreover, it is readily apparent that at least Claims 1-30 are generic claims that read on each of Species 2 and 3.

In view of the foregoing, Applicant respectfully requests reconsideration and withdrawal of the Election Requirement set forth in the above-noted Election/Restriction Requirement, and further request examination of all of the presently pending claims.

Moreover, it is clear that the Requirement is essentially mooted, since all of the presently pending claims (i.e., Claims 1-30) read on the specie elected herein. As such, all of the pending claims must be examined anyway.

Respectfully submitted,

Dated: October 4, 2005

By:   
Paul D. Amrozowicz  
Reg. No. 45,264